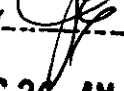


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  D.C.
05 AUG 26 AM 6:44

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

O'NEAL DANDRIDGE,

Plaintiff,

vs.

METHODIST,

Defendants.

X
X
X
X
X
X
X
X
X
X
X

No. 05-2326-Ma/V

ORDER OF DISMISSAL

Plaintiff O'Neal Dandridge filed a pro se complaint on the form used for commencing actions pursuant to 42 U.S.C. § 1983 on May 3, 2005, along with a motion seeking leave to proceed in forma pauperis. The Court issued an order on July 13, 2005 denying leave to proceed in forma pauperis and directing the plaintiff to pay the \$250 civil filing fee within thirty days. The order provided that "[f]ailure to timely comply with this order will result in dismissal of this action, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute." 07/13/2005 Order at 2.

The time set for compliance with the July 13, 2005 order has expired, and plaintiff has not paid the civil filing fee or otherwise responded to the order. Therefore, the Court DISMISSES

the action without prejudice, pursuant to Fed. R. Civ. P. 41(b),
for failure to prosecute.

IT IS SO ORDERED this 25th day of August, 2005.



SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02326 was distributed by fax, mail, or direct printing on August 30, 2005 to the parties listed.

O'Neal Dandridge
3120 Alta Road
Memphis, TN 38109

Honorable Samuel Mays
US DISTRICT COURT